

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	S	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR										YR.	NUMBER
1085/4	75 XA	0217	6	2	75	3	440	1				1,111 citizen- ship restored	8509		75 XA	0217 B

PLAINTIFFS

Thomas J. CLARK

DEFENDANTS

STATE OF OKLAHOMA ex rel,
ROBERT D. SIMMS

CAUSE

Civil Rights Act of 1964, Title 42, Section 1983

ATTORNEYS

Thomas J. Clark, Pro Se
3933 E. 29th St. N.
Tulsa, Oklahoma
932-1880 74115

Paul C. Duncan, Asst. Atty Gen.
LARRY DERRYBERRY
Attorney General of Oklahoma
112 State Capitol Bldg.
Oklahoma City, Oklahoma 73105

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	7-1-75/4.28.76
				JS-6	8-1-75
					(11-1-76)

DATE	NR.	PROCEEDINGS
6-2-75	1.	COMPLAINT filed, Summons issued.jj
6-11-75		Summons, ret. & filed: served Larry Derryberry, State Atty. Gen., and Robert D. Simms, Ok. City on 6-6-75. (USM \$8.72)g
6-20-75	2.	Motion to Dismiss, filed. lm
6-20-75	3.	BRIEF in support of motion to dismiss, filed.
6-20-75	MO	It is ordered by the Court that plaintiff is given 10 days from this date to file a responsive brief to deft's Motion to Dismiss. (AEB-J)lm
6-30-75	4.	Pltf's request (letter) for ext. of time to file responsive brief to deft's mot. to dismiss, filed. g
7-8-75	5.	Order, filed & entered, denying request for ext. of time to file responsive brief, and sustaining motion to dismiss and dismissing cause of action and complaint. (AEB-J)g
7-9-75	6.	Response of pltf. to def. mo/dismiss, filed. rm
7-9-75	7.	Affidavit of true and correct facts of pltf., filed. rm
7-11-75		MO: The Court has for consideration the Response of plaintiff to defendant's motion to dismiss and the affidavit of true and correct facts of the plaintiff filed herein on the 9th day of July, 1975, and, being fully advised in the premises, finds: That said filings are moot, the Court having heretofore entered its Order on July 8, 1975, Denying the request for extension of time to file responsive brief and sustaining motion to dismiss and dismissing cause of action and complaint. IT IS SO ORDERED. (AEB-J) cps mld mm
8-6-75	8.	Notice of appeal by pltf., filed. rm
8-7-75	9.	Bond for cost on appeal (\$250 surety), filed. rm
8-29-75		Appeal record (1 vol.) sent to USCA. g
11-14	10	Motion by Thomas Jefferson Clark to the objection of the State Attorney General's Office, filed. tc
11-17		Mo. It is ordered b the Court that the Deft file a responsive brief within 10 days to the Objection of the State Atty General's Office. (AFB-J) ltr. tc
12-3		MO: It is ordered by the Court that the deft. is granted until 12-8-75 to respond to pltf's mo., filed 11-14-75. (AEB-J) ph cps mld.
12-9	11.	Deft's response to Pltf's motion to objection, filed. ph
1-12-76	12.	Order, filed, overruling pltf's mot. to objection of State Attorney General's Office. (AEB-J)g cpies mld.
4-28	13.	Mandate and Opinion of USCA, filed and spread of record, affirming judg. as re State of Okla., and reversing & remanding case as re def. Judge Simms, with directions that Simms be required to Answer, and for further proceedings as D.C. deems warranted. rm
4-28		Original appeal record (1 vol) received from USCA. rm
5-7	MO	It is ordered by the Court that deft. Robert D. Simms is hereby granted twenty (20) days from this date to answer the complaint, in accordance with the Mandate and Opinion of USCA heretofore entered. (AEB-J)k cp mld

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-217-B</u>
THOMAS J. CLARK		STATE OF OKLAHOMA ex rel Robert D. Simms	PAGE ____ OF ____ PAGES
DATE 1976	NR.	PROCEEDINGS	
5-27-76	14	Answer of Robert D. Simms, filed. g	
6-4	15	Deft's. motion for summary judgment or in the alternative motion to dismiss, filed.s	
6-4	16	Brief in support of motion for summary judgment or in the alternative motion to dismiss, filed.s	
6-4	MO	It is ordered by the court that the Pltf. file a responsive brief within ten (10) days to the Deft's. motion for summary judgment or in the alternative motion to dismiss. (AEB-J) k cps. mld.	
6-14	17	Pltf's response to defendant's motion and motion for default judgment, filed.s	
6-22	18.	A motion for protection for the pltf., filed.s	
7-20	19.	Mot. to object to the Court accepting the affidavits of Mr. H. D. Walker and Mr. William Frost, Jr., that was filed on or about 7-16-76, fld. v	
7-21	20.	Deft's motion to attach affidavits of H. D. Walker & Wm. Frost, Jr. to mot. for S/J, or to dismiss, filed.k	
7-21	21.	Order, filed, granting deft's mot. to attach affidavits. (AEB-J)k cps mld Affs. of Walker & Frost attached to mot. for S/J.	
9-10	22.	Additional memorandum filed by Pltf.s	
10-7	23.	Order, filed, ^{& entered} that the Mot. for default judgment filed 6-14-76 is overruled; further, that a Mot. for protection for the Pltf is overruled; further that a Mot. to further show the Ct. that Pltf. can further present the necessary evidence and prove that Mr. Leroy Thomas who is a black man and Chairman of the Board for the So-Called Bi-Racial Bank, Am. St. that is located at 569 E. 36th North, Tulsa, Okla., is overruled; further, that deft's Mot. to dismiss is sustained, the cause of action asserted by pltf. being barred by the applicable Statute of Limitations of the St. of Okla., Alternatively, in the event it be deemed that the action is not barred by the applicable State Statute of Limitations, then it is ordered that deft's Mot. for S/J be and the same is hereby sustained and Judgment entered accordingly.s (AEB-J) cps. mld.	
11-8	24.	Notice of appeal of pltf., appealing order of the Court, filed 10-7-76, filed. ph (cpy of notice and docket sheet to CA)	
11-8	25.	Bond for Cost of Appeal, in the amount of \$250, ^(security) filed. ph	
11-16		Original appeal record (1 vol.) transmitted to USCA. rm	
5-16-77		Mandate of USCA affirming judgment of 10-7-76, filed & spread of record. g	
5-20		Original appeal record (1 vol.) received from USCA.rm	

